P.F. 4885

G. R. S 1X-5)

Previous references.

1874-74

192 .

(L.R.)

File No 12687.

Serial Nos 1-5

Later references.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1-5

Index Part B for January to May 1874

SUBJECT.

Election of Panchayat to the Municipal Committee of Nagapattinam Village Tirur Taluk.

Confirmed

Confirmed

By B

A. S. No. 1893-94

Appellant

Respondents

Appeal from the Decree of Sir Francis Jeune, President, in Probate Action, dated 28th May 93 refusing to Pronounce for the Validity of the Will and Codicil of Thomas Hall, late of

Proceedings in the Court of Probate and Divorce, and Admiralty Division, and Order dated 28th May 1893 refusing to Pronounce for the Validity of the Will and Codicil of Thomas Hall late of

Accordingly Koodlappa was appointed to perform the duties of the office of Shanbhogue in which he continued till 1880, when he was confirmed by the Dy. Commissioner during the Settlement of Shanbhogue patta Police. He continued in office till 1895, when he died leaving behind him a childless widow Gowramma.

On receiving report of his death the Amildar, Siva Rao ordered the appearance of his relations before him and examined them.

Gowramma, widow of the deceased stated that the office of Shanbhogue should be trans-ferred to her name, that Lakshmi Narasappa son of Lakshmaiah should be appointed as her gumasta, that Koodlappa had no issue and his brother Puttappa was alive, but was living separately.

Puttappa stated that the office of Shanbhogue should be registered in his name and not in Gowramma's, that Koodlappa and himself were divided brothers, that originally the registry of the Shanbhogue office was in the eldest brother Ningappa's name - that after his death it was, at the request of his widow Lakshmamma, transferred to Koodlappa's name - that during the lifetime of Koodlappa he used to pay annually Rs. 25 for Lakshmamma's maintenance - since his death it devolved upon him - consequently the registry of the office and divisible [illegible] should be transferred to his name and that he would pay annually

(5)

AN no 59 of 1893-94

Appt
Venkatakka
of Hagalvadi
Sira Taluq
Tumkur Dt
Represented by Mr K. Narasimmiyar
advocate

Respt
Govindamma.
Represented by Mr Rama=
swamy Iyengar
Advocate.

Respts husband was the Shanbhog on her death which was 20 Cent appointed Respt in May 1893.

Appt who is the divorced brother of the deceased claims the office on the ground that Respts husband was but his adoption by appt was void in law. Appt has any claim he should establish it by a suit. The appeal is dismissed as groundless

[illegible]
28/11/11

Mr is informed that his appeal has been dismissed as groundless — If he has any claim to office he must establish it by a suit

[illegible]

alleged that the deceased Simangaliso Bandlwana and his brother Mr Bandlwana had not been living together and that they were divided and since according to the wishes of the deceased the house claim still after his brother, therefore he applied for the office of Simangaliso and took the letter from the provincial office in Ladysmith.

Against this order the appellant has appealed on the following grounds.

1. That the appellant is the legal holder of the office of Simangaliso Magistrate and Dannhauser Estates.

2. That the Commissioner erred in registering of the office of Simangaliso while the absence of the deceased and the 1st respondent and not in the house of the appellant.

3. That the 1st respondent is not the sole brother of the office in question and that she has no personal claim to that of the appellant for the same.

BC

(1)

MYSORE DEWAN'S OFFICE
PETITION & PARTNAMA
REG'D. NO. 250R
DATE 27-7-93

5

2-94

Received by Hd Clk
C. Narasimha Iyengar.

Registered
Returned
Noted
27/7/93

COURT FEE LABEL ACT
Rupees Two
26-7-93

Two Rupees Stamp

A.S. No 59
93-94

Before the Hon'ble Commissioner of Mysore Division Bangalore

Revenue Miscellaneous Appeal Case No 1893-94

Appellant: Venkatachala Gowda Patel of Kaggalodu village, Kasaba Hobli of the Seven Kasaba District.

Respondents: 1. Ramanna Gowda widow of Hoodachala, late Shanbhaga of Kaggalodu village

2. Basavaiah Lakshmana Gowda on behalf of the 1st Respondent.

Both residents of Kaggalodu village in the Kasaba Hobli.

The Appellant above named most respectfully begs to prefer this Appeal against the Order No 985 of dated the 28th day of May 1893 of the Deputy Commissioner of the Seven Kasaba District.

The

General Serial No. 22.)

189.3

(2)

No. 257

Name of Petitioner. Venkatesan

Village Kaydadi

Taluk. Sira

District. Tumkur

Date of Arzi. 27. Jul. 95.

Date of Receipt. 27. Jul. 95.

Date of Disposal.

No. of Enclosures. Four

L R. 126-93-1

ABSTRACT.

Appeals against the order of the Deputy Commissioner No. 215-8 L.R. dated 19.3.95 for the Taluq Kacheri directing the petitioner to

The Order of the Revenue Commissioner is to the following effect, viz:-

"Since it is alleged that the deceased Chandrappa Goudappa and he by other Vaishnavas had been living together and that they were divided and since according to Hindu Law, the minors of the deceased be superior claims to the Hak of the deceased in preference to that of his brother; transfer the Registry that Gouda be recorded name to the name and receive the order from the Commander."

Grounds of Appeal

I. That the Appellant is the rightful claimant to the Office of Chandrappa of Kaggalodu Sima and also of Devarahalli Sima

II. That the Revenue Commissioner erred in ordering the Registry of the Office of Chandrappa of the aforesaid Sima's to be made in the name of the 1st Respondent and not in the name of the Appellant.

III. That the 1st Respondent is not the sole Arbitrator for the office in question and that the has no preferential claim for that of the Appellant for the Karaya Mines of the facts of the case is hereto annexed.

K. J. Charakiecka Respt

Bazgalow 27th July 1893

Order for Appellant

The following certificates are herewith produced.

1. Order No 9 dated 28-3-1893 of the Distrikt Commissioner of the Inland District.
2. Petition 118 dated 28-3-1893 made by the Resident of Karaya Valley to the District Commissioner of the Inland District.
3. Proceedings of Lakshmeeka dated 2nd May 1879 in case between the Resident of Karaya Valley.
4. Shareholders Register of the village of Kayzalodee for the year 1892.
5. Police Register of Each of Kayzalodee village for the year 1893.

K. J. Charakiecka Respt

27th July 1893. Order for Appellant

6. Moodlabbi widow of Gowramma, of Kempapura, deposed before the Amildar that Moodlabbi had no issue, but that he has a brother Venkatappa (the Appellant); that the Register should be transferred to his name and that Lakshmamma should be allowed Gowramma &c. Thus Lakshmamma - now deceased, is the 2nd Respondent.

7. The Appellant Venkatappa deposed that the Register should be made in favour and not in the name of the 1st Respondent Gowramma; that Moodlabbi, during his lifetime, was paying Rupees 25 annually to Lakshmamma for the maintenance; that he would pay annually Rupees 25 to the 1st Respondent Gowramma for the maintenance. that he has also to maintain Lakshmamma &c and that if there should be an order that both the Vakils should be heard regarding the transfer, then the Register of Naggalodee Venkatappa should be allowed to be transferred to his name and that of deceased to the name of the 1st Respondent Gowramma &c.

8 Lakshmamma, widow of Ramanna (deceased), deposed that the gave the

Before the Honourable
Sir Richard Couch Knight
Chief Commissioner

Revenue Appellate Jurisdiction

of 1893-94.

Appellant
Venkappah

Respondents.
1. Government
2. Lakshmanna Appellate

Cause of the facts of the case
stated by the Appellant.

I. That the Appellant is the holder of
Rangareddi and Moodlapalli

2. Rangareddi was the Registrar
Chandragiri Taluq in the beginning
of 1879.

3. Sir Thomas Lakshmanna Reddy on the 2nd May 1879 before the Accountant
of the Taluq, that the Registrar that should
in the said Rangareddi name
may be made in the name of his
husband Subbaraya Moodlapalli

4. The Registrar accordingly made in
the name of the said Moodlapalli

5. That Moodlapalli died and the
the said Rangareddi was executed
by the Accountant.

the respondent dated 2nd May 1893 for the
transfer of the Register Book Register
Receivable name to that of Woodlakhale
that Woodlakhale was paying her annually
Rupees 25/- for her maintenance and
that if the Receivable Register by the name
in the name of Venkatlakhale (Appellant)
the (Venkatlakhale) will also now maintain
her and pay annuity (Vide Respondent) re-

7. The decision of the Collector Thereupon
submitted the Report No 1188-D of 23-5-1893.
to the Board accepting the Trustee's
report - In the decision given in
which the statement or Respondent
of the Respondent was accepted in
connection with the trip case and in
the case relating for loss of the said
Report he has stopped to his opinion
that Rupees 25 may be granted to
Gurvaccable (Vide Respondent) for her
maintenance, that the Register may
be transferred to the name of
Venkatlakhale (Appellant) as was first
name in the case of Woodlakhale and
that Annuable may be allowed at
present on behalf of Venkatlakhale

10. Therefore the decision imposed
by Rep No 65 of 23-1-1893. and it is
appeal that Respondent, the appeal is prepared -

K. J. Parameshwara Udaya
Advocate for Appellant

B accepted
27th July 1893 -

(General Serial No. 30.)

2888

P/128.

1893 94

From The Deputy Commissioner
Tumkur Distt

(4)

To

The Chief Secretary to the ~~Dewan~~ Government of Mysore.

to ~~#~~ 23-1-94 for hearing
& be posted to appellant
Respt Govt.

L.R. 126-93-3

Dated Tumkur 29th August 1893.

Despatched 29th do.

Received

Enclosures No. Rtn. & Recd

General No.
No. 197.

Secretary's Off. Memorandum No. 204 of the 8th Instant.

—"—

Submitting report (with the records) on the petition of Veerappa of Kaggaladu village in the Sira Taluk regarding the Shrotriem of the said Kaggaladu and Devarhalli Circles

M. G. C. P. Bangalore.—27-1-93.—5,000.

Pet 204 LAW

First issued 10/5/93.

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

13

(3)

OFFICIAL MEMORANDUM.

The accompanying Petition No. 204

dated 27th July 93 received at the

Dewan's Office from Venkatappa

residing in Kaggadasa, Mysore

Taluk, appealing against the

Assistant Deputy Commr's order

No 765, 23-5-93 regarding the

Mandalapanchayat of Kaggadasa and

decree in suit vs Gurva.

L.R. 126-93-2

is forwarded, together with its 4 four

enclosures, to the Deputy Commr

Assistant District, for submission

of Proceedings with a report on

the facts of the case and on the

points taken in the petition

2 The Petition with enclosures

should be returned

By Order,

Asst to Chief Secretary

8 BANGALORE,
10 August 1893.

M.G.C.P. Bangalore.—21-11-92—3,000.

From the issue no 6/93.

Deputy Commissioner's Office
of Tumkur District

Tumkur 29th August 1893

No. 197.

(4)

To.

The Chief Secretary to the
Government of Mysore

Sir

Referring to your official Memorandum No. 204 of the 8th Instant forwarding for report with record petition from Venkappa residing in the Kaggaladu village of the Sira Taluk appealing against the order of this office regarding the Shanbogue of the said Kaggaladu and the Devarhalli circle, I have the honor to state as follows.

2 The Shanbogy in question stood in the name of the Eldest brother of the appellant. On the demise of the

Before the Government of H. H. the Maharaja of Mysore.

Appeal ~~Suit~~ No 57 of 1893-94 (5)

Appellant:

Kattappa of
Kagalodu, Sira Taluk
Tumkur District
represented by Mr. K. T.
Narasimha Iyengar, advocate

Respondent-

Gouramma, widow
of Mudlappa of the
same village, represented
by Mr. Ramaswamy Iyer
advocate.

L.R. 126-93

Decision dated 24th January 94.

Respondents husband was the Shanbhog and on his death without issue, the Deputy-Commr appointed Respondent-in May 1893.

2. Appellant-who is the divided brother of the deceased claims the office, on the ground that he is a Hissadar. If Appellant has any claim, he should establish it by a suit. The appeal is dismissed as groundless.

By order

Redraft

Chief Secretary

No 13426 ✓ 28.2.94
P.7.90-93 15th

Copy forwarded to the Deputy-Commissioner, Tumkur District with the records received with his No. 197 dated 29th August 93.

By Order

Chief Secretary.

S.V.

Assistant to Dewan
Mysore

eldest brother the Shanbogy was (at
his widow's request) transferred to
the name of the 2nd brother. The
latter having died recently the appel-
-lant (the 3rd brother) claimed the
office, but the widow of the de-
-ceased contended that according
to Hindu Law she was the rightful
heir. Her contention seemed to be
correct as the brothers were admittedly
divided. Accordingly the registry
in the widow's name was ordered

3. The enclosures of the
Memo under reply are herewith
returned together with the record of
the case—

I have the honor to be
Sir
Your most Obedient Servant

Deputy Commissioner

No. 250
Ac 59

29

13-2-94

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT,

8" Feby 1894

13

6

Endorsement granted to Venkatesha of Kaggalada, Sira Taluk, Tumkur District A.R. 126-93-5

in reply to his Petition Registered No. 250 A.S. 59 dated 27.7.93 appealing against the Tumkur Deputy Commissioner's order regarding the Shanbhoga of Kaggalada & Dinnahalli Pakas

Petitioner is informed that his appeal has been dismissed as groundless. If he has any claim to the office he must establish it by a suit.

The enclosures are returned.

11
5/2/94

"By Order"

Ramaiah

Chief Secretary.

S.C.
27/1

Mysore Govt. Central Press, Bangalore.—9-2-93—2000.